

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF
TULSA, OKLAHOMA,**

scheduled for Wednesday, May 17, 2023, at 5:00 P.M in the City Council Chamber, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK, to transact all business as set out in Notice and Agenda posted in the Office of City Clerk, Room 260, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK on Friday, May 12, 2023, at 4:14 P.M.

CALL TO ORDER

Chair Patrick called the meeting to order at 5:27 P.M.

ROLL CALL:

Hall-Harper	Present	Bengel	Present
Cue	Present	Decter Wright	Present
Patrick	Present	Lakin	Present
Bellis	Present	Fowler	Present
Miller	Present		
	Present:	9	
	Absent:	0	

STAFF PRESENT

Jack Blair, City Attorney
Lori Doring, Secretary to the Council
Brandon Worley, Council Staff

1. RECEIPT & FILING OF MINUTES

- a. Minutes of Regular Meeting held at 4:00 PM on April 19, 2023. [CC 5/17/23] 23-389-1
- b. Minutes of Regular Meeting held at 5:00 PM on April 19, 2023. [CC 5/17/23] 23-389-2
- c. Minutes of Special Meeting held at 6:00 PM on April 24, 2023. [CC 5/17/23] 23-383-1
- d. Minutes of Special Meeting held at 6:00 PM on April 25, 2023. [CC 5/17/23] 23-384-1

Councilor Lakin moved to approve 1.a – 1.d. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 9	Nays: 0	Absent: 0	Abstentions: 0

Motion carried.

Councilor Lakin left the meeting at 5:32 P.M. and returned at 5:33 P.M.

2. **APPOINTMENTS & REAPPOINTMENTS**

- a. Jennifer Griffin – Reappointment to the Tulsa Development Authority; term expires July 31, 2025. (Attended 7/9 meetings.) (CD-4) [UED 5/3/23; CC 5/17/23] 23-345-1
- b. Sarah Gould – Reappointment to the Board of Appeals; term expires June 30, 2026. (Attended 3/3 meetings.) (CD-9) [UED 5/3/23; CC 5/17/23] 23-346-1
- c. Joan P. Parkhurst – Reappointment to the Tulsa Authority for Economic Opportunity; term expires June 30, 2026. (Attended 9/9 meetings.) (CD-9) [PW 5/3/23; CC 5/17/23] 23-347-1

Public Comments:
Nancy Moran – 2.c.
John Huffines – 2.a – 2.c.

Councilor Lakin moved to approve 2.a – 2.c. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 9	Nays: 0	Absent: 0	Abstentions: 0

Motion carried.

3. **PUBLIC HEARINGS**

- a. Public Hearing to receive comments regarding a proposed Ordinance closing a Public Way, closing a portion of the street that is part of S. 53rd W. Ave. and W. 50th St. S., located at 5151 W. 51st St., situated between Lot Four (4), Block One (1) and Lot One (1), Block Three (3) of Bridges Heights, to accommodate future development in the area, requested by Nathalie Cornett with Eller & Detrich, P.C. (CD-2) (Public Hearing: 5/17/23) [PW 5/17/23; CC 5/17/23; CC 5/24/23] 23-359-3

Councilor Lakin moved to enter Public Hearing on 3.a. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 9	Nays: 0	Absent: 0	Abstentions: 0

Motion carried.

Council entered Public Hearing on 3.a at 5:36 P.M.

There were no speakers.

Without objection, Council exited Public Hearing on 3.a at 5:36 P.M.

- b. Public Hearing to receive written and oral comments regarding the proposed renewal of the Improve Our Tulsa Capital Program. [CC 5/3/23; CC 5/17/23] 23-317-1

Councilor Lakin moved to enter Public Hearing on 3.b. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

Council entered Public Hearing on 3.b at 5:37 P.M.

Public Comments:
William J. Stava, Jr.
Justin Schuffert
Jay Krottinger
Ken Busby
Julie Smith
Nancy Moran
Corrie Harris
Kent Harrell
Walt Kosty
James Alexander, Jr.

Councilor Lakin left the meeting at 6:02 P.M. and returned at 6:04 P.M.

Councilor Miller left the meeting at 6:05 P.M. and returned at 6:10 P.M.

Councilor Bellis left the meeting at 6:19 P.M. and returned at 6:20 P.M.

Without objection, Council exited Public Hearing on 3.b at 6:28 P.M.

- c. Public Hearing to receive written and oral comments regarding the proposed City of Tulsa Fiscal Year 2023-2024 Budget and Capital Plan. [CC 5/17/23; CC 5/24/23] 23-358-1

Councilor Lakin moved to enter Public Hearing on 3.c. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

Council entered Public Hearing on 3.c at 6:28 P.M.

Public Comments:
Andrea Kyle
Samantha Polen

Councilor Hall-Harper left the meeting at 6:28 P.M. and returned at 6:33 P.M.

Without objection, Council exited Public Hearing on 3.c at 6:39 P.M.

4. MAYOR'S ITEMS

- a. Mayor's report on community events, briefing on City activities, City efforts, and new business.

There was no report.

- b. Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and Laura Donnelle Hazen for property located at 4145 S. Troost Pl. E., for a concrete driveway approach with a 4X4 scored pattern. (CD-9) [PW 5/3/23; CC 5/17/23] 23-323-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and Gilmore E. Caswell III Trust, dated July 17, 2013, for property located at 1359 E. 29th St., for a colored concrete driveway approach. (CD-4) [PW 5/3/23; CC 5/17/23] 23-324-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of a Utility Easement Donation by Board of Regents of the Oklahoma Agricultural and Mechanical Colleges of property located at 1111 W. 17th St. S., Parcel 211-2020, Riverview Park Second Addition, for the OSU Center for Health Sciences Project. (CD-2) [CC 5/17/23] 23-362-1
- e. Consideration and possible approval, adoption, denial, amendment or revision of a Sanitary Sewer Easement Donation by City of Catoosa of property located in the vicinity of 20900 E. Pine St., Catoosa, OK, Parcel 10A, 11A, 12A, 13A, 14A and 19A, for the Catoosa Interceptor Relief Project. (Outside Tulsa City Limits) [CC 5/17/23] 23-363-1
- f. Consideration and possible approval, adoption, denial, amendment or revision of a Storm Sewer Easement Donation by River Parks Authority of property located adjacent to 431 W. 23rd St., Parcel 365, Unplatted, for the McMichael Acres Project. (CD-2) [CC 5/17/23] 23-364-1
- g. Consideration and possible approval, adoption, denial, amendment or revision of a Storm Sewer Easement Donation by River Parks Authority of property located adjacent to 431 W. 23rd St., Parcel 367, Unplatted, for the McMichael Acres Project. (CD-2) [CC 5/17/23] 23-365-1
- h. Consideration and possible approval, adoption, denial, amendment or revision of a Storm Sewer Easement Donation by River Parks Authority of property located adjacent to 431 W. 23rd St., Parcel 369, Unplatted, for the McMichael Acres Project. (CD-2) [CC 5/17/23] 23-366-1
- i. Consideration and possible approval, adoption, denial, amendment or revision of a deaccession of Ancestral remains and associated objects representing six (6) individuals and four (4) lots of funerary items from multiple sites in Arkansas culturally or geographically affiliated with the Caddo Nation, Osage Nation, and Quapaw Nation, from the Gilcrease Museum in accordance with the Native American Graves and Repatriation Act (NAGPRA) and federal regulations. [CC 5/17/23] 23-378-1

- j. Consideration and possible approval, adoption, denial, amendment or revision of a travel donation from MBK Alliance in the amount of one thousand, four hundred sixty-four dollars (\$1,464.00) for Mayor Bynum to travel to Chicago, IL on May 9-11, 2023, to speak at the MBK Alliance Impact in Action event. [CC 5/17/23] 23-376-1
- k. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Certified Piedmontese Beef IRONMAN Tulsa scheduled for May 21, 2023, starting at 1926 S. Hwy 151, Sand Springs, OK and ending at 4th St. and Boston Ave., Tulsa, OK. (CD-1,2,4) [CC 5/17/23] 23-385-1

Public Comments:
John Huffines – 4.i.

Councilor Lakin moved to approve 4.b – 4.k. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

Councilor Lakin left the meeting at 6:40 P.M. and returned at 6:41 P.M.

5. AUTHORITIES, BOARDS & COMMISSIONS

- a. Monthly Status Report from the Sales Tax Overview Committee on current activities and efforts. [CC 5/17/23] 23-67-4

Ashley Webb presented the report.

Public Comments:
John Huffines – 5.a.

Councilor Patrick left the meeting at 6:44 P.M. and returned at 6:45 P.M.

5.b and 5.c were read separately.

- b. Consideration and possible approval, adoption, denial, amendment or revision of Ordinance ZCA-26 amending the City of Tulsa Zoning Code, Title 42, Tulsa Revised Ordinances, Chapter 1, Introductory Provisions: Section 1.090 Rules of Language and Construction; Chapter 5, Residential Districts: Section 5.020 Use Regulations; Chapter 10 Mixed-use Table 10-4: Lot and Building Regulations for -P Character Zones; Chapter 15, Office, Commercial and Industrial Districts: Table 15-3: O, C, and I District Lot and Building Regulations, Section 15.030-B Table Notes; Chapter 20, Overlay Districts: Section 20.030 SA, Special Area Overlays; Chapter 70, Review and Approval Procedures: Section 70.010 Common Provisions, Table 70-1 : Review and Decision-making Authority Summary Table; Section 70.010-G Hearing Procedures; Chapter 75, Administration: Section 75.020 Preservation Commission, Section 75.020-L Staff; Chapter 95, Definitions: Section 95.150 Terms Beginning with "L", Land Use Administrator. (TMAPC voted 9-0-0 to recommend the City Council **ADOPT** the proposed amendments.) [UED 5/17/23; CC 5/17/23; CC 5/24/23] 23-360-2

Without objection, item 5.b was forwarded to the next Council meeting.

- c. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7695 from AG to RS-4 with an Optional Development Plan for property located west of the NW/c of E. 11th St. S. and S. 193rd E. Ave. requested by Nathan Cross. (Property owner: Fair Oaks Ranch-Tulsa County, LLC) (CD-6) (TMAPC voted 10-1-0 to recommend **APPROVAL** of RS-4 zoning with an Optional Development Plan.) [UED 4/12/23; UED 4/19/23; CC 4/19/23; CC 4/26/23; CC 5/17/23] 23-241-5

Councilor Decter Wright moved to waive Council Rules to accept Public Comment on 5.c. Councilor Bellis seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 9	Nays: 0	Absent: 0	Abstentions: 0

Motion carried.

Councilor Cue left the meeting at 7:00 P.M. and returned at 7:03 P.M.

Public Comments:
Nathan Cross – 5.c.
Bruce Denny – 5.c.
Dennis Henson – 5.c.

Councilor Lakin left the meeting at 7:10 P.M. and returned at 7:11 P.M.

Councilor Miller left the meeting at 7:34 P.M. and returned at 7:36 P.M.

Councilor Decter Wright left the meeting at 7:37 P.M. and returned at 7:38 P.M.

There was Council discussion.

Councilor Bengel moved to deny 5.c. Councilor Miller seconded the motion.

ROLL CALL:

Hall-Harper	Nay	Bengel	Yea
Cue	Yea	Decter Wright	Nay
Patrick	Yea	Lakin	Yea
Bellis	Nay	Fowler	Yea
Miller	Yea		
Yeas: 6	Nays: 3	Absent: 0	Abstentions: 0

Motion carried and the application was denied.

6. ORDINANCES - FIRST READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a Public Way, closing a portion of the street that is part of S. 53rd W. Ave. and W. 50th St. S., located at 5151 W. 51st St., situated between Lot Four (4), Block One (1) and Lot One (1), Block Three (3) of Bridges Heights, to accommodate future development in the area, requested by Nathalie Cornett

with Eller & Detrich, P.C. (CD-2) (Public Hearing: 5/17/23) [PW 5/17/23; CC 5/17/23; CC 5/24/23] 23-359-2

- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Title 35, Tulsa Revised Ordinances, titled "Infrastructure Development", Chapter 8, "Infrastructure Development Advisory Board", changing the title of Chapter 8 to "Infrastructure and Development Advisory Board"; changing the name of the board and everywhere it appears in the Ordinance to "Infrastructure and Development Advisory Board", modifying the membership of the board; changing the title of the director to "Director of Development Services", clarifying a quorum to be a majority of current members. **(Emergency Clause)** [PW 5/17/23; CC 5/17/23; CC 5/24/23] 23-371-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Title 6, Tulsa Revised Ordinances, titled "Finance Department", Chapter 6, titled "Revenue Collection", by adopting and enacting a new section, Section 606, titled "Contracts with Persons Having Delinquent Accounts", and establishing an effective date. [UED 5/17/23; CC 5/17/23; CC 5/24/23] 23-372-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of twenty-four thousand, five hundred twenty-six dollars (\$24,526.00) from unassigned fund balance within the Convention and Tourism Facility Fund. (Performing Arts Center Management Fee) [UED 5/17/23; CC 5/17/23; CC 5/24/23] 23-373-2
- e. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to transfer unencumbered and unexpended appropriation balances of six thousand, eight hundred fifty-two dollars and forty-one cents (\$6,852.41) within the 2005 GO Bond Issue 1 SubFund; eight thousand, seven hundred thirty-eight dollars and eight cents (\$8,738.08) within the GO Bond Issue 5 SubFund; thirty-eight thousand, two hundred five dollars and seventy-three cents (\$38,205.73) within the 2005 GO Bond Issue 6 SubFund; four hundred fifty-seven thousand, two hundred ninety-one dollars and eighty-one cents (\$457,291.81) within the 2008 GO Bond Issue 1 SubFund; four hundred ninety-seven thousand, three hundred eighty-four dollars and fifty-three cents (\$497,384.53) within the 2008 GO Bond Issue 2 SubFund; five hundred forty-five thousand, nine hundred ninety-two dollars and sixty-three cents (\$545,992.63) within the 2008 GO Bond Issue 3 SubFund; six hundred ninety-five thousand, one hundred forty-seven dollars and twenty-six cents (\$695,147.26) within the 2008 GO Bond Issue 4 SubFund; one hundred sixty-five thousand, four hundred eighty-five dollars and forty-nine cents (\$165,480.49) within the 2008 GO Bond Issue 5 SubFund; one million, three hundred thirty-six thousand, two hundred twenty dollars and twenty-five cents (\$1,336,220.25) within the 2008 GO Bond Issue 6 SubFund. (Go Bond Balance Drawdown) [UED 5/17/23; CC 5/17/23; CC 5/24/23] 23-374-2
- f. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of thirty-eight dollars and fifty-eight cents (\$38.58) from grant revenues to be received from the Department of Justice and to transfer unencumbered and unexpended appropriation balances of fifteen thousand, five hundred thirty-five dollars and fifty cents (\$15,535.50) between account groups within the Services for Trafficking Victims SubFund. (2022 Human Trafficking Grant) [UED 5/17/23; CC 5/17/23; CC 5/24/23] 23-375-2
- g. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a certain air space of a Storm Sewer Easement, requested by Karl Fritschen, Wallace Design, for property located at 505 E. 2nd St., Lot Two (2), Block Eighty-Five (85), Original Town Tulsa, for the construction of a pedestrian sidewalk. (CD-1) [PW 5/17/23; CC 5/17/23; CC 5/24/23] 23-355-2

-
- h. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a Sewer Easement, requested by James Shelby and Rachel Amber Navarro, for property located at 1434 S. Quincy Ave., on the south side of Lot Nine (9), Block Seven (7) of the Belleview Addition, due to the house encroaching on the easement. (CD-4) [PW 5/17/23; CC 5/17/23; CC 5/24/23] 23-379-2
 - i. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a Drainage Easement, requested by Jason Potter, Wallace Design Collective, for property located at 13818 E. 51st St., on the south side of Lot One (1), Block One (1) of the Leinbach Apartments Stuart Tract, for the development of Leinbach Apartments. (CD-7) [PW 5/17/23; CC 5/17/23; CC 5/24/23] 23-380-2
 - j. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to transfer available appropriations of one hundred thirty-six thousand, four hundred forty dollars (\$136,440.00) between account groups within the DNA Backlog reduction SubFund. (2021 Forensic DNA Backlog Reduction Project) [UED 5/17/23; CC 5/17/23; CC 5/24/23] 23-381-2
 - k. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of fifteen thousand, six hundred seventy-two dollars and twenty-six cents (\$15,672.26) from unassigned fund balance within the Whittier Square Improvement Fund. (Whittier Square Improvement Asset Repair) [UED 5/17/23; CC 5/17/23; CC 5/24/23] 23-382-2
 - l. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Title 43, Tulsa Revised Ordinances, titled "City of Tulsa Sales Tax Code", by the addition of a new section, Section 100.5, to be titled "2023 Temporary Sales Tax Levied"; creating the new sales tax; stating the purpose of the tax; setting a commencement date for the tax; establishing procedures for the deposit of funds generated thereby; directing expenditure of the funds in accordance with Title 43-M; setting a termination date; providing that if, at the August 8, 2023, election, the voters of the City of Tulsa do not approve this 2023 Temporary Sales Tax, then this ordinance shall be null and void and of no further effect, repealing all ordinances in conflict with this ordinance, providing severability. Ordinance No. 25041. **(Emergency Clause)** [UED 5/17/23; CC 5/17/23; CC 5/24/23] 23-390-2
 - m. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance enacting a new title within the Tulsa Revised Ordinances to be called "Title 43-M, 2023 Temporary Sales Tax Policy"; declaring that all revenue generated by this sales tax shall be devoted to certain designated projects; identifying those projects; creating a Sales Tax Overview Committee (STOC); setting membership, terms and duties for this committee; establishing a Special Revenue Fund to receive all revenue generated by this sales tax; setting forth the conditions and requirements for any amendment to, or repeal of, this sales tax; providing that if, at the August 8, 2023, election, the voters of the City of Tulsa do not approve the 2023 Temporary Sales Tax, then this ordinance shall be null and void and of no further effect, repealing all ordinances in conflict with this ordinance, providing severability. Ordinance No. 25042. **(Emergency Clause)** [UED 5/17/23; CC 5/17/23; CC 5/24/23] 23-391-2

Without objection, items 6.a – 6.m were forwarded to the next Council meeting.

Councilor Miller left the meeting at 7:40 P.M.

7. ORDINANCES - SECOND READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of forty-eight million dollars (\$48,000,000.00) of American Rescue Plan Act (ARPA) grant revenues from the Oklahoma Water Resources Board (OWRB) to be received within the Fair Oaks Lower Bird Creek Grants SubFund. (Lower Bird Creek Improvements) [UED 5/3/23; CC 5/3/23; CC 5/17/23] 23-325-2
- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to transfer available appropriations of thirty-five thousand, nine hundred seventy-seven dollars and three cents (\$35,977.03) between departments within the General Fund. (Center for Economic Development Law) [UED 5/3/23; CC 5/3/23; CC 5/17/23] 23-326-2

Public Comments:
James Alexander, Jr. – 7.a.
John Huffines – 7.a, 7.b.

Councilor Lakin moved to approve 7.a – 7.b. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

Councilor Lakin left the meeting at 7:42 P.M. and returned at 7:44 P.M.

8. COUNCIL ITEMS

- a. Councilors’ announcements and reports on current community events, activities, efforts, and concerns. Other than announcements and reports, no discussion will ensue.

Councilor Hall-Harper announced that there would be an Expungement Expo on May 20, 2023.

Public Comments:
John Huffines – 8.a.

9. NEW BUSINESS

- a. No items this week.

10. HEARING OF APPEALS

- a. No items this week.

11. HEARING OF PUBLIC COMMENTS

- a. No items this week.

12. **ADJOURNMENT**

- a. Adjournment.

Chair Patrick adjourned the meeting at 7:48 P.M.

Crista Patrick, Chair of the Council

Lori Doring, Secretary to the Council